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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 EDNEIL HANIF,

9 Petitioner,

10 v.

11 ICE FIELD OFFICE DIRECTOR,

12 Respondent.

CASE NO. C17-1238-RSM-BAT

**REPORT AND
RECOMMENDATION**

13 This is a 28 U.S.C. § 2241 immigration habeas action. On October 6, 2017, the Court
14 denied Edneil Hanif's application to proceed *in forma pauperis* and notified him that this action
15 would be dismissed if he did not pay the \$5.00 filing fee within 30 days. Dkt. 6. The 30-day
16 deadline has passed, and Mr. Hanif has not paid the filing fee. Accordingly, the Court
17 recommends that this action be **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1914.

18 This Report and Recommendation is not an appealable order. Therefore a notice of
19 appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
20 assigned District Judge enters a judgment in the case. Objections, however, may be filed and
21 served upon all parties no later than **December 6, 2017**. The Clerk should note the matter for
22 **December 8, 2017**, as ready for the District Judge's consideration if no objection is filed. If
23 objections are filed, any response is due within 14 days after being served with the objections. A

1 party filing an objection must note the matter for the Court's consideration 14 days from the date
2 the objection is filed and served. The matter will then be ready for the Court's consideration on
3 the date the response is due. Objections and responses shall not exceed 5 pages. The failure to
4 timely object may affect the right to appeal.

5 DATED this 14th day of November, 2017.

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8 BRIAN A. TSUCHIDA
9 United States Magistrate Judge
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